

Examiner-Initiated Interview Summary	Application No.	Applicant(s)	
	09/933,366	SIMS, SANDRA M.	
	Examiner	Art Unit	
	Cybillie Delacroix-Muirheid	1614	

All Participants:

(1) Cybillie Delacroix-Muirheid:

(2) Ms. King:

Status of Application: _____

(3) _____

(4) _____

Date of Interview: 3 February 2005
Time: _____

Type of Interview:

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No
 If Yes, provide a brief description:

Part I.
Rejection(s) discussed:
none
Claims discussed:
none
Prior art documents discussed:
none
Part II.
SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:
See Continuation Sheet
Part III.

- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.


 (Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: The Examiner contacted Applicant's representative to inform her that the declaration by Dr. Jeffery Bartz filed under 37 CFR 1.131, should have been filed under 37 CFR 1.132 since the declaration was being used to traverse the outstanding rejection under 35 USC 103(a). Applicant's representative agreed to submit a supplemental response stating that the Bartz declaration should have been submitted under 37 CFR 1.132, but as a result of a typographic error, it was inadvertently submitted under 37 CFR 1.131. The Examiner notes the typographic error and the Bartz declaration shall be treated as a declaration submitted under 37 CFR 1.132. Please refer to the supplemental response received Feb. 3, 2005.

Examiner-Initiated Interview Summary	Application No. 09/933,366	Applicant(s) SIMS, SANDRA M.	
	Examiner Cybille Delacroix-Muirheid	Art Unit 1614	

All Participants:

Status of Application: _____

(1) Cybille Delacroix-Muirheid.

(3) _____.

(2) Ms. King.

(4) _____.

Date of Interview: 28 February 2005

Time: _____

Type of Interview:

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No
 If Yes, provide a brief description:

Part I.

Rejection(s) discussed:
 N/A

Claims discussed:
 Claims 1-30

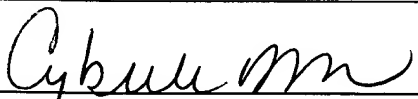
Prior art documents discussed:
 Singh et al., 6,696,426 B2

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:
 See Continuation Sheet

Part III.

- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.


 (Examiner/SPE Signature)

 (Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Applicant's representative was notified that during a final update search, the Examiner discovered a patent to Singh et al., 6,696,426 that issued from 10/080,810. AN 10/080,810 was filed after the filing date of the instant application. Using the two-way obviousness test as prescribed in MPEP 804(1)(b), the Examiner along with the Examiner's supervisor concluded that an obviousness-type double patenting issue exists between the pending and patented claims.

In an effort to expedite prosecution and move the application to issue, Applicant's representative agreed to fax a terminal disclaimer to the Examiner for review and entry.